



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/081,525	02/21/2002	Michael J. Wissner	16319-05906

00758  
 FENWICK & WEST LLP  
 TWO PALO ALTO SQUARE  
 PALO ALTO, CA 94306



**CONFIRMATION NO. 1035**  
**FORMALITIES LETTER**



\*OC000000007716991\*

Date Mailed: 03/26/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION****FILED UNDER 37 CFR 1.53(b)***Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/29/2002 5555SHE1 00000006 10081525  
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 01 FC:105



## IN THE UNITED STATES

## PATENT AND TRADEMARK OFFICE

APPLICANTS: Michael J. Wissner, James C. Salem and Arden L. Rodgers

APPLICATION NO.: 10/081,525

FILING DATE: February 21, 2002

TITLE: Scalable Database Management System

EXAMINER: Unknown

GROUP ART UNIT: 2171

ATTY. DKT. NO.: 16319-05906

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington, DC 20231, on the date shown below:

Dated: August 26, 2002By: Linda McGuire  
Linda McGuire

BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

SIR:

Responsive to the Notice to File Missing Parts dated March 26, 2002, received in the above-identified patent application,

Enclosed are:

- a copy of the Notice to File Missing Parts;
- an original, signed Combined Declaration and Power of Attorney;
- an original, signed Power of Attorney;
- an Application Data Sheet;
- payment in the amount of \$530.00 for the

08/29/2002 SSESHE1 00000006 10081525

02 FC:116

400.00 DP



08-28-02

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TID

2171  
MP

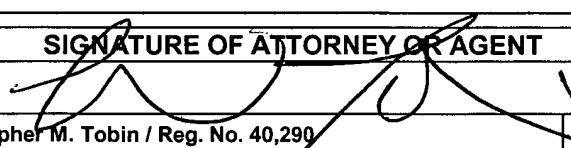
PTO/SB/21 (modified)

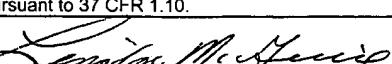
Approved for use through xx/xx/xx, OMB 0651-0031

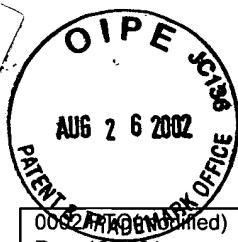
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>		Application Number	10/081,525
		Filing Date	February 21, 2002
		First Named Inventor	Michael J. Wissner
		Group Art Unit Number	2171
		Examiner Name	Unknown
Total Number of Pages in This Submission	10	Attorney Docket Number	16319-05906

<b>ENCLOSURES (check all that apply)</b>	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input checked="" type="checkbox"/> Combined Declaration and Power of Attorney <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [ ] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): <input type="checkbox"/> [ ] Sheet(s) of Figure(s) [ ] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>REMARKS:</b>	

<b>SIGNATURE OF ATTORNEY OR AGENT</b>		
Signature:		
Attorney/Reg. No.:	Christopher M. Tobin / Reg. No. 40,290	Dated: August 26, 2002

<b>CERTIFICATE OF MAILING</b>		
<p>I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.</p>		
Signature:		
Typed or Printed Name:	Linda McGuire	Dated: August 26, 2002
Express Mail Mailing Number (optional):	EL 951620935 US	


 00021474 (modified)  
 Rev. 10/2001

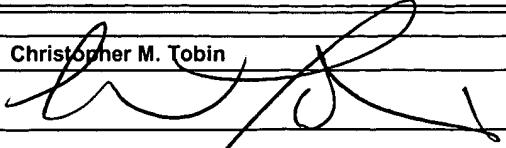
 U.S. Department of Commerce  
 Patent and Trademark Office

**FEE TRANSMITTAL**
**TOTAL AMOUNT OF PAYMENT**

 Subtotal (1) + Subtotal (2) + Subtotal (3) = **\$ 530.00**

		<i>Complete if Known</i>	
Application Number	10/081,525		
Filing Date	February 21, 2002		
First Named Inventor	Michael J. Wissner		
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<b>METHOD OF PAYMENT</b>		<b>FEES CALCULATION (continued)</b>																																																																																																																																		
<b>1. The Commissioner is hereby authorized to:</b> <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. <sup>†</sup> <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th><u>Large Entity</u></th> <th><u>Small Entity</u></th> <th></th> <th></th> </tr> <tr> <th>Fee Code/Fee</th> <th>Fee Code/Fee</th> <th>Fee Description</th> <th>Fee Due</th> </tr> </thead> <tbody> <tr> <td>105/\$130</td> <td>205/\$65</td> <td>Surcharge - late filing fee or oath</td> <td><b>130</b></td> </tr> <tr> <td>127/\$50</td> <td>227/\$25</td> <td>Surcharge-late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>147/\$2,520</td> <td>147/\$2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>115/\$110</td> <td>215/\$55</td> <td>Extension for response within first month<sup>†</sup></td> <td></td> </tr> <tr> <td>116/\$400</td> <td>216/\$200</td> <td>Extension for response within second month<sup>†</sup></td> <td><b>400</b></td> </tr> <tr> <td>117/\$920</td> <td>217/\$460</td> <td>Extension for response within third month<sup>†</sup></td> <td></td> </tr> <tr> <td>118/\$1,440</td> <td>218/\$720</td> <td>Extension for response within fourth month<sup>†</sup></td> <td></td> </tr> <tr> <td>128/\$1,960</td> <td>228/\$980</td> <td>Extension for response within fifth month<sup>†</sup></td> <td></td> </tr> <tr> <td>119/\$320</td> <td>219/\$160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>141/\$1,280</td> <td>241/\$640</td> <td>Petition to revive unintentionally abandoned application</td> <td></td> </tr> <tr> <td>142/\$1,280</td> <td>242/\$640</td> <td>Utility Issue Fee (Or Reissue)</td> <td></td> </tr> <tr> <td>143/\$460</td> <td>243/\$230</td> <td>Design Issue Fee</td> <td></td> </tr> <tr> <td>122/\$130</td> <td>122/\$130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>126/\$180</td> <td>126/\$180</td> <td>Submission of Information Disclosure Statement</td> <td></td> </tr> <tr> <td>179/\$740</td> <td>279/\$370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>581/\$40</td> <td>581/\$40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146/\$740</td> <td>246/\$370</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>149/\$740</td> <td>249/\$370</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td colspan="2">Other fee (specify):</td> <td></td> <td></td> </tr> <tr> <td colspan="2">Other fee (specify):</td> <td></td> <td></td> </tr> <tr> <td colspan="2"></td> <td><b>SUBTOTAL (3)</b></td> <td><b>\$ 530.00</b></td> </tr> <tr> <td colspan="2"></td> <td colspan="2"> <table border="1"> <thead> <tr> <th>(Col. 1)</th> <th>(Col. 2)</th> <th>(Col. 3)</th> <th></th> <th></th> </tr> <tr> <th>For</th> <th>No. of Existing Claims</th> <th>Highest No. Previously Paid For</th> <th>Extra**</th> <th>Fee</th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td></td> <td>20 or 0</td> <td></td> <td></td> </tr> <tr> <td>INDEP</td> <td></td> <td>3 or 0</td> <td></td> <td></td> </tr> <tr> <td colspan="2">[ ] First presentation of multiple dependent claim</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="2"></td> <td colspan="2">           * Subtract the greater number of Col. 2            ** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3         </td> </tr> <tr> <td colspan="2"></td> <td colspan="2"><b>SUBTOTAL (2)</b> <b>(\$)</b></td> </tr> </tbody> </table>		<u>Large Entity</u>	<u>Small Entity</u>			Fee Code/Fee	Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - 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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Christopher M. Tobin	Reg. Number	40,290
Signature		Date	August 26, 2002

<sup>†</sup> Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby